



OVERSIGHT AND
COMPLIANCE

OFFICE OF THE DEPUTY CHIEF MANAGEMENT OFFICER

**9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010**

09/04/15

Library of Congress
Anglo-American Acquisitions Division
Government Documents Section
Federal Advisory Committee Desk
101 Independence Avenue, S.E.
Washington, D.C. 20540

Dear Sir or Madam,

Enclosed is a copy of the charter that renews the Strategic Environmental Research and Development Program Scientific Advisory Board, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

Copies of this charter are also being filed with the Senate Armed Services Committee, the Senate Appropriations Committee, the House Armed Services Committee, and the House Appropriations Committee.

Sincerely,

James D. Freeman II
Advisory Committee Management
Officer for the Department of Defense

1 Enclosure
As stated



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09/04/15

The Honorable Mac Thornberry
Chairman
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515
Dear Mr. Chairman,

Enclosed is a copy of the charter that renews the Strategic Environmental Research and Development Program Scientific Advisory Board, which is being filed with your office in accordance with the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix).

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The Honorable John McCain
Chairman
Committee on Armed Services
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman,

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**9010 DEFENSE PENTAGON
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09/04/15

The Honorable Harold Rogers
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman,

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**9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010**

09 / 04 / 15

The Honorable Thad Cochran
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Mr. Chairman,

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Advisory Committee Management
Officer for the Department of Defense

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Charter
Strategic Environmental Research and Development Program
Scientific Advisory Board

1. Committee's Official Designation: The committee shall be known as the Strategic Environmental Research and Development Program Scientific Advisory Board ("the Board").
2. Authority: The Secretary of Defense, pursuant to 10 U.S.C. § 2904 and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established this statutory Board.
3. Objectives and Scope of Activities: Pursuant to 10 U.S.C. § 2904(e), the Strategic Environmental Research and Development Program Council ("the Council") shall refer to the Board, and the Board shall review, each proposed research project including its estimated cost, for research in and development of technologies related to environmental activities in excess of \$1,000,000. The Council, pursuant to its responsibilities under 10 U.S.C. § 2902(d)(1) and in an effort to enhance the Board's review process, has lowered the dollar threshold for referral by the Council to the Board to any proposed research project in excess of \$900,000. The Board shall make any recommendations to the Council that the Board considers appropriate regarding such project or proposal.
4. Description of Duties: The Board may make recommendations to the Council regarding technologies, research, projects, programs, activities, and, if appropriate, funding within the scope of the Strategic Environmental Research and Development Program. In addition, the Board shall assist and advise the Council in identifying the environmental data and analytical assistance activities that should be covered by the policies and procedures prescribed pursuant to 10 U.S.C. § 2902(d)(1).
5. Agency or Official to Whom the Committee Reports: The Board reports to the Council, which then submits, pursuant to 10 U.S.C. § 2902(d)(3), an annual report to the Secretary of Defense, through the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)).
6. Support: The Department of Defense (DoD), through the Office of the USD(AT&L) and the Strategic Environmental Research and Development Program, provides support for the Board's performance functions and ensures compliance with the requirements of the FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b, as amended) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating costs, to include travel, meetings, and contract support, are approximately \$228,000.00. The estimated annual personnel costs to the DoD are 0.25 full-time equivalents.
8. Designated Federal Officer: The Board's Designated Federal Officer (DFO) must be a full-time or permanent part-time DoD officer or employee, designated in accordance with established DoD policies and procedures.

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Scientific Advisory Board

The Board's DFO is required to attend all meetings of the Board and its subcommittee for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly designated to the Board according to established DoD policies and procedures, must attend the entire duration of all meetings of the Board and its subcommittees.

The DFO, or the Alternate DFO, shall call all of the Board and its subcommittees meetings; prepare and approve all meeting agendas; and adjourn any meeting when the DFO, or the Alternate DFO, determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the Chair. Pursuant to 10 U.S.C. § 2904(d), the minimum number of Board meetings is four per year.
10. Duration: Pursuant to 10 U.S.C. § 2904, the need for this advisory function is on a continuing basis; however, this charter is subject to renewal every two years.
11. Termination: The Board shall terminate upon rescission of 10 U.S.C. § 2904.
12. Membership and Designation: Pursuant to 10 U.S.C. § 2904(a), the Secretary of Defense and the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, shall jointly appoint not less than six and not more than 14 members.

Pursuant to 10 U.S.C. § 2904(b), the Board membership shall be composed of the following:

- a. Permanent members of the Board are the Science Advisor to the President and the Administrator of the National Oceanic and Atmospheric Administration or their respective designees;
- b. Non-permanent members of the Board shall be appointed from among persons eminent in the fields of basic sciences, engineering, ocean and environmental sciences, education, research management, international and security affairs, health physics, health sciences, or social sciences, with due regard given to the equitable representation of scientists and engineers who are women or who represent minority groups. One such member of the Board shall be a representative of environmental public interest groups, and one such member shall be a representative of the interests of State governments.

Pursuant to 10 U.S.C. § 2904(b)(3), the Secretary of Defense and the Secretary of Energy, in consultation with the Administrator of the Environmental Protection Agency, shall request that:

- a. the head of the National Academy of Sciences, in consultation with the head of the National Academy of Engineering and the head of the Institutes of Medicine of the

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Strategic Environmental Research and Development Program
Scientific Advisory Board

National Academy of Sciences, nominate persons for appointment to the Board;

- b. the Council on Environmental Quality nominate for appointment to the Board at least one person who is a representative of environmental public interest groups; and
- c. the National Association of Governors nominate for appointment to the Board at least one person who is a representative of the interests of State governments.

The Board, pursuant to 10 U.S.C. § 2904(d), shall develop procedures for carrying out its responsibilities. Such procedures shall define a quorum as a majority of the members and shall provide for the annual election of the Board's Chair by the members of the Board.

Board members appointed by the Secretary of Defense and the Secretary of Energy, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as special government employee (SGE) members. Board members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as regular government employee (RGE) members.

SGE members are appointed to provide advice on the basis of their best judgment without representing any particular point of view and in a manner that is free from conflict of interest. Pursuant to 10 U.S.C. § 2904(h), each member of the Board shall be required to file a financial disclosure report under title I of the Ethics in Government Act of 1978 (5 U.S.C. Appendix, as amended).

The members shall be appointed for terms of not less than two and not more than four years, as provided in 10 U.S.C. § 2904(b)(4) and approved by the Secretary of Defense. All appointments shall be renewed by the Secretary of Defense on an annual basis. Members shall not serve more than two consecutive terms of service, unless authorized by the Secretary of Defense.

With the exception of reimbursement of official Board-related travel and per diem, members of the Board serve without compensation.

13. Subcommittees: DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(AT&L), as the Board's Sponsor.

Such subcommittees shall not work independently of the Board and shall report all of their recommendations and advice solely to the Board for full and open deliberation and discussion. Subcommittees, task forces, or working groups have no authority to make

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decisions and recommendations, verbally or in writing, on behalf of the Board. No subcommittee or any of its members can update or report, verbally or in writing, on behalf of the Board, directly to the DoD or any Federal officer or employee.

Each subcommittee member, based upon his or her individual professional experience, provides his or her best judgment on the matters before the Board, and he or she does so in a manner that is free from conflict of interest. All subcommittee members will be appointed by the Secretary of Defense or the Deputy Secretary of Defense for a term of service of two-to-four years, with annual renewals, even if the individual in question is already a member of the Board. Subcommittee members will not serve more than two consecutive terms of service, unless authorized by the Secretary of Defense or the Deputy Secretary of Defense.

Subcommittee members who are not full-time or permanent part-time Federal officers or employees will be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Subcommittee members who are full-time or permanent part-time Federal officers or employees will be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members. With the exception of reimbursement of official travel and per diem related to the Board or its subcommittees, subcommittee members will serve without compensation.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and established DoD policies and procedures.

14. Recordkeeping: The records of the Board and its subcommittees will be handled according to Section 2, General Records Schedule 6.2 and governing DoD policies and procedures. These records will be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).
15. Filing Date: September 4, 2015